

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

|                         |   |                                |
|-------------------------|---|--------------------------------|
| JOSEPH ANTONETTI,       | ) | CASE NOs. 3:10-CV-158-LRH-WGC  |
|                         | ) | 3:11-CV-548-LRH-WGC            |
| Plaintiff,              | ) |                                |
|                         | ) | MINUTES OF PRETRIAL CONFERENCE |
| vs.                     | ) |                                |
|                         | ) | DATED: March 10, 2015          |
| HOWARD SKOLNIK, et al., | ) |                                |
|                         | ) |                                |
| Defendant(s).           | ) |                                |
| _____                   | ) |                                |
| JOSEPH ANTONETTI,       | ) |                                |
|                         | ) |                                |
| Plaintiff,              | ) |                                |
|                         | ) |                                |
| vs.                     | ) |                                |
|                         | ) |                                |
| BARACK OBAMA, et al.,   | ) |                                |
|                         | ) |                                |
| Defendant(s).           | ) |                                |
| _____                   | ) |                                |

PRESENT: THE HONORABLE LARRY R. HICKS, U.S. DISTRICT JUDGE

Deputy Clerk: Dionna Negrete Reporter: Donna Davidson

Pro Se Plaintiff: Joseph Antonetti, by telephone

Counsel for Defendants: Garrit Pruyt, DAG and Andrea Barraclough, DAG

10:06 a.m. Court convenes. The Court addresses the parties and requests defense counsel to outline the progress of the trial preparation with plaintiff to date. Mr. Pruyt reports that the parties have had ongoing discussions and have been able to agree upon a number of the exhibits as to their authenticity. Discussions are scheduled to continue after today's hearing. Mr. Antonetti responds and informs the Court he does not have his case files, paper, or a pen for today's hearing. IT IS ORDERED that Mr. Antonetti be provided pen and paper for the hearing today. Ms. Barraclough suggests a short recess so she can call the institution and have them provide Mr. Antonetti with paper and pen.

10:10 – 10:25 a.m. Court stands at recess.

Counsel recites the exhibits that the parties have stipulated to as to authenticity. The parties confer and indicate for the record witnesses anticipated to be called at trial. Ms. Barraclough represents she will make available defendant's witnesses available for plaintiff's case in chief. The parties present their respective arguments regarding inmate witnesses. Ms. Barraclough confirms

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what affidavits are currently available for the Court's review. Mr. Antonetti will provide affidavits he has in his possession upon receipt of his case files.

IT IS ORDERED that any inmate witnesses not listed in the joint pretrial order will not be allowed to testify.

IT IS FURTHER ORDERED that the Court will approve video testimony pursuant to security concerns, further outlining what he suggests may be a security concern. The Court will determine which inmate's testimony shall be deemed relevant upon review of the affidavits and whether they are listed in the joint pretrial order. Ms. Barraclough will provide affidavits from the inmates recited on the record and contact the institutions where these individuals are housed regarding whether they may be transported for testimony or will appear via video conference. The Court further reiterates that the joint pretrial order is the roadmap for the trial. Mr. Antonetti requests a short continuance of approximately 30 days to allow him to better prepare for trial due to his transfer and transportation of his case files before him. The Court and the parties further confer regarding the procedure of voir dire questioning, witness identification and when the identified witnesses will tentatively be called. The Court thanks defense counsel for making their witnesses available earlier for plaintiff's case in chief.

11:18 a.m. Court stands at recess.

11:33 a.m. Court reconvenes. The Court hears the parties' respective arguments, as to what the Court construes as motions in limine, and makes tentative rulings as follows:

Plaintiff's [#194] is tentatively denied. The Court will provide a cautionary instruction to the jury. The Court and the parties further confer as to the time frame of which will be adhered to during trial. The Court encourages the parties to further discuss and try to reach a stipulation regarding the time frame at issue. Should the parties not be able to reach a stipulation, the Court will rule upon the matter accordingly.

Defendant's [#198] stands submitted. The Court will issue a written order.

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Defendant's [#195] is ruled upon accordingly:

- (1) A – denied.
- (2) B – granted.
- (3) C – granted.
- (4) D – granted – The parties will confer to determine an expert doctor to be called as a witness.
- (5) E – granted.
- (6) F – granted.

Plaintiff's [#212] – stands submitted. The Court will review the record and issue a ruling.  
Plaintiff's [#229] – defendants shall provide a response to the motion – matter remains pending.  
Plaintiff's [#215] – parties are discussing and working out the objections.

The Court outlines how the jury instructions will be settled and finalized.  
The parties present further argument regarding plaintiff's request for a continuance of the trial.  
Pursuant to defendant's objection, and failure to reach an agreement,

IT IS ORDERED plaintiff's motion for continuance is DENIED.

IT IS FURTHER ORDERED that trial is confirmed to commence on **Tuesday, 3/17/15, at 8:30 a.m. in Las Vegas Courtroom 4B**. Upon the filing of defendant's response to plaintiff's motion [#229], the Court will issue a written order accordingly.

1:16 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: D. NEGRETE  
Deputy Clerk